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Dated: December 1, 2009
Electronic Signature for Todd W. Wight: /Todd W. Wight/

Docket No.: 101671.0057P
(PATENT)
EFS WEB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jurgen Dorn et al.

Application No.: 10/541,875

Confirmation No.: 7921

Filed: April 5, 2006

Art Unit: 3734

For: TRANS-LUMINAL SURGICAL DEVICE

Examiner: J. L. Hornberger

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 1, 2009 (Paper No. 1), Applicant hereby provisionally elects claims 1-26 and 39-40 for continued examination without traverse.

The Examiner has required a species election, as follows:

1. Species I drawn to Figs. 1, 2A, and 2B;
2. Species II drawn to Figs. 3; 3A, 3B, and 4; and
3. Species II drawn to Figs. 5 and 6.

Applicant hereby elects Species I drawn to Figures 1, 2A, and 2B without traverse. The claims believed to encompass the elected Species I are claims 1-26 and 39-40.

If any further fees are due associated with this filing, please charge our Deposit Account No. 50-2191, under Order No. 101671.0057P from which the undersigned is authorized to draw.

Dated: December 1, 2009

Respectfully submitted,

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